

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 19347 of 2005

Between:

Mandapati Pothanna

..... PETITIONER

AND

The Superintendent, Tobacco Board
Jangareddygudem West Godavari District

And 4 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus declaring the action of the 1st respondent in not initiating any action against the respondents 2 to 4 as per the representation of the petitioner dated 12.08.2005 as arbitrary and illegal, the present writ petition is filed.

It is the case of the petitioner that he is one of the son among seven sons of one Mandapati Satyanarayana and Smt.Mahalakshmi and the joint family got property of an extent of Ac.40.38 cents situated at Akkampet village and out of that extent, in an extent of Ac.3.38 cents there was tobacco barren constructed. Due to family disputes, the petitioner filed a civil suit for partition. The Tobacco license was stood in the name of 2nd respondent. In order to misuse the joint family properties, respondent Nos.2 to 4 with active support of the

5th respondent, are trying to get renewal of tobacco barren license for further period and in this regard the petitioner made a representation to the 1st respondent on 12.08.2005, requesting to defer the matter until disposal of the civil dispute. But the 1st respondent has not taken any steps. Hence the writ petition.

Heard the learned counsel on either side.

Admittedly, the representation of the petitioner dated 12.08.2005 is pending consideration with the 1st respondent and the 1st respondent has to pass appropriate decision thereon.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the

1st respondent to pass appropriate orders on the representation of the petitioner dated 12.08.2005, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

Dated: 01.09.2005

Dsr